

Serial No.: 09/238



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Inventors: **Satish Bommaraddy  
Srinivas Chaganty  
Makarand Kale**

Case No.: **CyberIQ M-8403**

Serial No.: **09/540,238**

Group Art Unit: **2131**

Filing Date: **April 1, 2000**

Examiner: **Leynna A. Ha**

Title: **Firewall Pooling In a Network Flowswitch**

**RECEIVED**

JUN 24 2004

Technology Center 2100

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Petition to Withdraw Holding of Abandonment Based on  
Failure to Receive Office Action (see MPEP §711.03(c) II)**

Dear Sir:

Applicants' attorney hereby petitions that the holding of abandonment in the above-identified application be withdrawn because the Office Action and due-date restart notice therein was not received.

Applicants' attorney attests that he has searched the file jacket of the above-identified application and that he has had the Avaya Docket Administrator search the docket records, and that these searches indicate that the Office Communications were not received. A final Office Action was allegedly mailed on November 10, 2003, and a due-date restart notice was allegedly mailed on December 8, 2003, therefore making the response to the Office Action due on March 8, 2004. A copy of the attached Avaya Case Record Listing, which is the docket record for the case, shows by the absence of a Diary Due Date for a Response to Office Action that the Office Communications were not received.

No fee is required with this petition. Please charge any fees due with this petition to Avaya Deposit account no. 501602.

Respectfully,



David Volejnicek

Reg. No. 29355

Attorney for Applicants

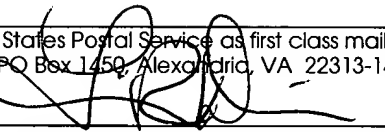
Date: 15 June 2004

Docket Administrator  
Avaya Inc.  
307 Middletown-Lincroft Road  
Room 1N-391  
Lincroft, NJ 07738

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

On 15 June 2004  
Date of Deposit

Tina R. Wilson  
(Type name of person mailing paper)

  
(Signature of person mailing paper)

<b>CASE RECORD LISTING</b>
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10 Jun 2004

<b>File No</b>	350024-US	<b>Module</b>	Patents
<b>Case Ref</b>	5571	<b>Country Code</b>	US
<b>Short Title</b>	Firewall Pooling in a Network Flowswitch	<b>Status Code</b>	PEN
<b>Title/Mark</b>	Firewall Pooling in a Network Flowswitch		
<b>Analysis Code 1</b>	CyberIQ M-8403		
<b>Analysis Code 2</b>			
<b>Analysis Code 3</b>			
<b>Analysis Code 4</b>			
<b>Analysis Code 5</b>			
<b>Change Reportable</b>	N		
<b>Last Amended By</b>	LOURDES	<b>Last Amended Date</b>	09 Mar 2004
<b>Last Checked By</b>		<b>Last Checked Date</b>	
<b>CPA Reportable</b>	Y	<b>File Location</b>	
<b>No of Claims</b>	0	<b>Gazette Ref</b>	
<b>Language of Filing</b>			

<b>Base Reference</b>	<b>Date</b>	<b>Number</b>
Case created	14 Nov 2001	
Application No. / Date	01 Apr 2000	09/540238
Grant / Issue No. / Date		

<b>Role Type</b>	<b>Name</b>
Attorney	Volejnicek David
Filing Attorney	MacPherson Alan H.
Client	IP LAW GROUP
Division	US CASES

<b>Case Nature</b>	<b>File No</b>	<b>Appln No</b>	<b>Country Name</b>
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<b>Diary Due Dates</b>	<b>Status</b>	<b>Action</b>
2/27/2004	Overdue	Awaiting Examiner Response

**Abstract**

**Remarks** AMOC # M-8403, bankruptcy case

**Claims**

Text 1

Text 2

Text 3

**File No** 350024-US **Country** United States of America  
**Status** Pending **Type** National Patent

Basic

Dates &amp; Numbers

Contacts

Diary Dtl's

Desig Ctry

Matter	Due Date	Compl Date
Awaiting Examiner Response	2/27/2004	
Supplemental IDS	2/25/2004	2/25/2004
Response to Office Action	10/18/2003	8/27/2003
Resp to OA - 3 Month Extension	1/18/2004	8/27/2003
File Returned by OC - amoc	11/28/2001	12/18/2001
Application due to be filed	11/14/2001	4/1/2000